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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,238	01/30/2002	Mehmet Sayal	10010317-1	2777

7590 09/24/2008  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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GREIMEL, JOCELYN

ART UNIT	PAPER NUMBER
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3693

MAIL DATE	DELIVERY MODE
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09/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FROM DIRECTORS OFFICE

SEP 24 2008

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

TECHNOLOGY CENTER 3600

In re Application of: Mehmet Sayal, et al.  
Application No. 10/066,238  
Filed: January 30, 2003  
Attorney Docket No.: 10010317-1  
For: TRADING PARTNER  
CONVERSATION MANAGEMENT  
METHOD AND SYSTEM

PETITION TO INVOKE  
SUPERVISORY AUTHORITY  
UNDER  
37 C.F.R. 1.181

This is in response to applicant's petition filed on June 19, 2008 requesting reconsideration of the Petition decision mailed June 4, 2008 which denied the petition filed May 15, 2008 to have the U.S. Patent 7,043,687 to Knauss reference removed as prior art.

The petition is **DISMISSED AS MOOT** as detailed below.

Petitioner's argues that the petition decision mailed on June 4, 2008 failed to address "the substantive merits of Applicants' remarks pertaining to the propriety of swearing behind Knauss's actual filing date." Petitioner further argues that the Examiner can not rely on Knauss's provisional date as the effective U.S. filing date because the provisional fails to disclose the subject matter of Applicant's claims.

MPEP 715.08 states:

"The question of sufficiency of affidavits or declarations under 37 CFR 1.131 should be reviewed and decided by a primary examiner.

Review of questions of formal sufficiency and propriety are by petition >filed under 37 CFR 1.181<. Such petitions are answered by the Technology Center Directors (MPEP§ 1002.02(c)).


Review on the merits of a 37 CFR 1.131 affidavit or declaration is by appeal to the Board of Patent Appeals and Interferences."

The present petition addressing "the substantive merits of Applicants' remarks" clearly represents a review on the merits and therefore is not a petitionable issue but rather requires an appeal to the Board of Patent Appeals and Interferences. Accordingly this petition is **DISMISSED AS MOOT**.

Any questions concerning this decision should be directed to James Kramer at (571)  
272-6783.

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**Summary: *Petition DISMISSED AS MOOT as detailed above.***

  
Wynn Coggins, Director  
Patent Technology Center 3600  
(571) 272 - 5350

JAK/snm: 09/14/08

*SM*